

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jonathan Boone,)	C/A No. 2:05-1914-DCN-RSC
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
Jo Anne Barnhart,)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	

This social security case is before the Court upon the magistrate judge's recommendation that this action be dismissed for failure to prosecute.

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. Thomas v. Arn, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. United States v. Schronce, 727 F.2d 91 (4th Cir. 1984), cert. denied, 467 U.S. 1208 (1984). **Plaintiff's objections to the magistrate judge's report and recommendation were filed on March 8, 2006.**

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report is incorporated into this Order. For the reasons articulated by the magistrate judge, this action is **dismissed** for

failure to prosecute.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Norton', written over a horizontal line.

DAVID C. NORTON
United States District Judge

Charleston, South Carolina
March 9, 2006

NOTICE OF APPEAL

The Parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.